

## **REMARKS/ARGUMENTS**

### **Claim Amendments**

The Applicant has amended claims 2-9 and 11-18. Applicant respectfully submits no new matter has been added. Accordingly, claims 1-18 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

### **Examiner Objections - Claims**

Claims 2-9 and 11-18 were objected to because of informalities. The Applicant appreciates the Examiner's thorough review of the claims. The Applicant has amended the claims as suggested by the Examiner in order to correct the informalities. The Examiner's consideration of the amended claims is respectfully requested.

### **Claim Rejections – 35 U.S.C. § 102(e)**

Claims 1-3, 6, 8-12, 15 and 17 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kohli, et al. (hereinafter Kohli) (US Patent No. 7,213,068B1). The Applicant respectfully traverses the rejection of these claims.

As described in the Background of the Applicant's invention, the state of the art regarding policy based control, e.g., policy enforcement and policy management at the time the application was filed is summarized by the following: "...systems according to the current art comprise a PEP sending out a decision request to a PDP when a specific Event occurs at the entity implementing the PEP...[T]he PDP evaluates the Events against policy and decides the appropriate policy Enforcement. Subsequently the PDP returns its decision on how the PEP must act on the Event to the PEP and the PEP carries out (enforces) the decision taken by the PDP." (page 3, lines 23-30). Well known by skilled persons in the art, a Policy Enforcement Point (PEP) is described in the background of the Applicant's Specification as a logical entity that enforces a decision that was determined by the PDP (Page 3, lines 28-30). Also, at the time the application was filed, a skilled person in the art would consider the PEP to have a client function

and the PDP a server function. The Applicant's invention reverses that logic whereby the PEP has a server capability to turn the PDP into clients of the PEP. (Summary)

The Kohli reference is cited for disclosing a Policy Enabling Point that is equated to the Policy Enforcement Point described in the Applicant's invention. The distinction between the two devices is narrow but they are different. The Policy Enabling point is described as providing three services namely: the event filter, the action evaluator, and the SNMP sub-agent (col. 10, lines 4-9). The cited figures 1 (and 2) show that the Enabling Point is part of (or more specifically associated to) the Device server. The device server has to be enabled to act as a server. Acting as server is the classic function of a Policy Decision Point (PDP). The "Policy Enabling Point" therefore enables the Device Server and the act of enabling the device server (e.g., enabling itself) is even a typical function of the PDP.

As noted above and in claim 1, the PEP of the Applicant's invention is provided with a server functionality providing server services to a PDP; just the opposite of the services in the Policy Enabling Point disclosed in the Kohli reference. The Kohli reference thus teaches that the Policy Enabling Point is more of a PDP function than the PEP function disclosed and claimed by the Applicant. This being the case, the Applicant respectfully requests withdrawal of the rejection of independent claim 1 and analogous independent claim 10. Additionally, since claims 2-3, 6, 8-9, 11-12, 15 and 17 depend from the respective independent claims, the rejection of these claims be withdrawn also.

#### **Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 4, 5, 13, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kohli, et al. (hereinafter Kohli) (US Patent No. 7,213,068B1) as applied to claims 1 and 10 above, and further in view of Putzolu (US Patent No. 6,578,076B1). The Applicant respectfully traverses the rejection of these claims.

The Kohli reference does not teach or suggest the PEP functions claimed in the Applicant's invention and neither does the Putzolu reference. Putzolu is cited for teaching a client-server paradigm, outsourcing policy decisions and accepting a policy from multiple PDPs. The Applicant respectfully submits that claims 4, 5, 13 and 14

depend from claims 1 and 10 respectively and contain the same limitations; limitations not supplied by the Putzolu reference. The Applicant respectfully requests that the rejection of these claims be withdrawn.

Claims 7, 16 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kohli, et al. (hereinafter Kohli) (US Patent No. 7,213,068B1). The Applicant respectfully traverses the rejection of these claims.

Regarding claims 7 and 16 the skill of "one of ordinary skill in the art" is cited as providing a reason to include asynchronous messaging to select proper among multiple PDPs. The Applicant respectfully disagrees. First, Kohli lacks teaching the PEP as a server and PDP as client and second, because of the functionality claimed for the PEP, it would not be logical to include the asynchronous messaging to select among PDPs.

Regarding claim 18, the "one of ordinary skill in the art" is cited as being obvious to modify Kohli to include multiple servers as a stakeholder to enforce accurate policy enforcements. Again, the policy enforcements are executed by the PEP.

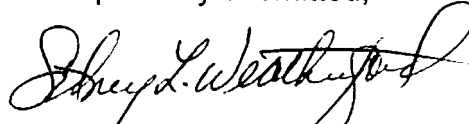
The Applicant respectfully submits that the Kohli reference lacks at least the limitation of the PEP functioning as a server to the PDPs. This being the case, the Applicant respectfully requests the allowance of claims 7, 16 and 18.

### **CONCLUSION**

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sidney L. Weatherford", written in a cursive style.

By ~~Sidney~~ Sidney L. Weatherford  
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Date: October 16, 2007

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